



DOCKET NO.: 287670US6



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RE: Application Serial No.: 09/809,423

Applicants: Jens KLEIN, et al.

Filing Date: March 16, 2001

For: PROCESS AND APPARATUS FOR THE
COMBINATORIAL PRODUCTION AND TESTING
OF MATERIAL LIBRARIES USING AT LEAST
TWO ANALYTICAL METHODS

Group Art Unit: 1743

Examiner: SODERQUIST, ARLEN

SIR:

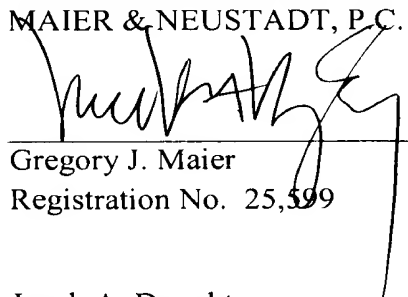
Attached hereto for filing are the following papers:

REQUEST FOR ACKNOWLEDGEMENT OF CONSIDERATION OF CITED REFERENCES WITH
COPY OF FORM PTO-1449 FILED 07/31/01 AND COPY OF FORM PTO-1449 FILED 09/18/03;
CITED REFERENCES (4)

Our online credit card payment in the amount of -0- is being made covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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DOCKET NO: 287670US6

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
JENS KLEIN, ET AL. : EXAMINER: SODERQUIST, ARLEN
SERIAL NO: 09/809,423 :
FILED: MARCH 16, 2001 : GROUP ART UNIT: 1743
FOR: PROCESS AND APPARATUS FOR :
THE COMBINATORIAL PRODUCTION
AND TESTING OF MATERIAL
LIBRARIES USING AT LEAST TWO
ANALYTICAL METHODS

REQUEST FOR ACKNOWLEDGEMENT OF
CONSIDERATION OF CITED REFERENCES

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicants filed Information Disclosure Statements (IDS) on July 31, 2001 and September 22, 2003 citing various references for consideration by the Examiner. The Examiner forwarded to Applicants' representative copies of the Forms PTO-1449 filed with the July 31, 2001 IDS and the September 22, 2003 IDS acknowledging with his initials that many of the references cited therein had been considered. However, the Examiner failed to indicate that several of the references had been considered. In particular, the Examiner failed to indicate that the following references had been considered:

- (1) Holzworth et al., Angew. Chem. 110, No. 19
- (2) Cong et al., Angew. Chem. 111, No. 4
- (3) Orschel et al., Angew Chem. 111, No. 18

- (4) Ertl, Handbook of Heterogenous Catalysis, Vol. 1-5 (cover pages, title pages, outlines, tables of contents)

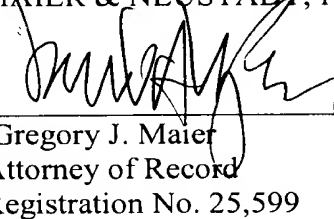
The July 31, 2001 IDS and the September 22, 2003 IDS were submitted in compliance with 37 C.F.R. §1.98, as detailed in MPEP §609.04(a). Of particular import, a concise explanation of their relevance can be found in the present specification at paragraphs [0004], [0005], [0008] and [0081]. As discussed in MPEP §609:

Once the minimum requirements of 37 CFR 1.97 and 37 CFR 1.98 are met, the examiner has an obligation to consider the information. There is no requirement that the information must be prior art references in order to be considered by the examiner. Consideration by the examiner of the information submitted in an IDS means nothing more than considering the documents in the same manner as other documents in Office search files are considered by the examiner while conducting a search of the prior art in a proper field of search. The initials of the examiner placed adjacent to the citations on the ** PTO/SB/08A and 08B or its equivalent mean that the information has been considered by the examiner to the extent noted above.

In view of the foregoing, it is respectfully requested that the Examiner initial the attached Forms PTO-1449 to indicate that the references identified above have been considered, and return copies of the initialed forms to the undersigned.

Respectfully submitted,

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Attachments:
July 31, 2001 Form PTO-1449
September 18, 2003 Form PTO-1449
Cited References